

**REMARKS**

This responds to the Final Office Action mailed on July 3, 2008.

Claim 1 is amended, claim 13 is canceled, and no claims are added; as a result, claims 1, 3-12, 14-16 remain pending in this application.

**Drawing Objections**

FIG. 20 was objected to for allegedly adding new matter. The objection specifically asserted that “the step ‘make the association of the first identifier with the first field and the assertion of the second identifier with the second field available for data processing activities’ appears to be new matter.” Applicants respectfully traverse this assertion. Applicants respectfully submit that support for the objected portions of FIG. 20 are supported throughout the application as originally filed, such as at page 7, lines 1-4; page 8, lines 8-16; page 11, line 16 – page 12, line 25; FIG. 2; FIG. 10; and FIG. 11.

Nevertheless, applicants have chosen to amend FIG. 20 to conform with clarifying claim amendments as detailed in the marked-up claim set above and as discussed below. Applicants respectfully submit that the amendment to FIG. 20 is supported throughout the application as originally filed, such as at page 7, lines 1-4; page 8, lines 8-16; page 11, line 16 – page 12, line 25; FIG. 2; FIG. 10; and FIG. 11.

Entry of the amendments to FIG. 20 in response to the request for correction of the Figures is respectfully requested.

**Specification Objections**

The amendment to the specification filed April 4, 2008, which added a paragraph describing FIG. 20, is objected to under 35 U.S.C. § 132(a) for adding new matter. Applicants respectfully traverse this objection. Applicants respectfully submit that support for the paragraph objected to can be found throughout the application as originally filed, such as at page 7, lines 1-4; page 8, lines 8-16; page 11, line 16 – page 12, line 25; FIG. 2; FIG. 10; and FIG. 11. Nevertheless, Applicants have chosen to amend the paragraph to conform to amendments to claim 1 and the amendments to FIG. 20. Support for the amendment to the identified paragraph is found

throughout the original application, such as at page 7, lines 1-4; page 8, lines 8-16; page 11, line 16 – page 12, line 25; FIG. 2; FIG. 10; and FIG. 11. Entry of the specification amendment detailed above is respectfully requested.

*Claim Objections*

Claim 1 was objected to as it is not clear how making “the association of the first identifier with the first field and the association of the second identifier with the second field available for data processing activities” excludes “the first user or group of users from the first activity and the second user or group of users from the second activity.” There appears to be an essential step missing, since making data available does not require that it be used.

Applicants have amended claim 1 to clarify the claim by incorporating the language of previously pending, now canceled, claim 13. Claim 1 now provides for “instantiating an object” which replaces the objected to “making” language of the claim. Withdrawal of the claim 1 objection is respectfully requested.

*§101 Rejection of the Claims*

Claims 1 and 3-16 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants have amended claim 13 to include the language of previously pending, now canceled, claim 13. Applicants respectfully submit that this amendment clarifies the claim and how user input is received, processed through association to form a tailored object class definition which is then instantiated. In particular, the instantiated object of claim 1 is subject to data processing which results in exclusion of user or groups of users from activities. Thus, Applicants respectfully submit that claim 1, as amended, transforms received data from one state to another which provides “a real world value.” The amendment carries forward to claims 3-12 and 14-16 which depend, directly or indirectly, from amended independent claim 1. Applicants respectfully request withdrawal of the 35 U.S.C. § 101 rejection of claims 1, 3-12, and 14-16

*§103 Rejection of the Claims*

Claims 1, 3-9, and 11-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Powers et al. (U.S. 6,901,426; hereinafter “Powers”) in view of Hansen et al. (U.S. 6,886,016; hereinafter “Hansen”). Applicants respectfully traverse this rejection because the combination of Power and Hansen, if made, fails to teach or suggest all of the claim limitations.

Independent claim 1 includes receiving user input for tailoring an object class definition including first and second fields; first and second users or groups of users, and associations of users or groups of users to the first and second fields. As claimed, these data items are all included within the tailored object class definition. Claim 1, as amended to include the language of claim 13 which is now canceled, further includes instantiating an object from the tailored object class definition. The instantiated object therefore, as is inherent and explicitly claimed, includes the fields, users or groups of users, and the associations there between. The instantiated object, as claimed, uses such included information to exclude certain users from certain activities.

To provide such teachings, the Office Action provides Powers and Hansen. However, Applicants respectfully submit that if these references are combined, the combination fails to teach or suggest inclusion of the specified first and second fields, first and second users or groups of users, and the associations there between being made within a object class definition and especially not within an object instantiated from the object class definition.

Independent claim 1 includes presenting a user with options for tailoring an object class definition and receiving user input for tailoring the object class definition including input identifying first and second fields to be included in the tailored object class definition and first and second users or groups of users. The Office Action asserts that Powers provides teachings of selection of fields, users, and privileges citing FIG. 4 and col. 7, lines 29-40, 47-61, and col. 8, lines 21-31. Applicants do agree in part, but Powers is silent as to such data being included within an object class definition. Instead, Powers describes conventional privilege tables that define user permissions within an application environment. Such permissions may be used in certain systems to implement privileges, but are retrieved rather than embedded within instantiated objects themselves.

Hansen is further deficient in this same regard. Hansen does describe an index class, but Applicants are unable to locate any teaching of including the specified first and second fields, first and second users or groups of users, and the associations there between being made within a object class definition. Further, Hansen is silent with regard to permissions and embedding of permissions data within an object instantiated from the object class definition.

Applicants respectfully submit that the embedding of permissions data within an object instantiated from the object class definition is reflected in language of claim 1 in the last element which provides:

“instantiate an object from the tailored object class definition, the instantiated object including the association of the first identifier with the first field and the association of the second identifier with the second field, wherein during data processing activities, the instantiated object excludes the first user or group of users from the first activity and the second user or group of users from the second activity.”

Thus, it appears to Applicants that if Powers and Hansen are combined, an object instantiated based on an index class of Hansen may include permissions functionality, but that functionality would be implemented through retrieval of permissions data from the permissions table of Powers.

Applicants therefore respectfully submit that the combination of Powers and Hansen fails to teach or suggest receiving user input tailoring an object class definition and instantiating an object therefrom that includes specified user permissions in the instantiated object. Thus, Applicants respectfully submit that claim 1 is patentable over the combination of Powers and Hansen. Claims 3-9, 11-12 and 14-16 depend, directly or indirectly, from patentable independent claim 1 and are patentable for at least the same reasons.

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Powers in view of Hansen and further in view of Keinsley et al. (U.S. 2003/0154403; hereinafter “Keinsley”). Keinsley is provided for the purpose of showing identifying a trigger and ending an association based on the identifying. However, Keinsley fails to cure the deficiencies of Powers and Hansen discussed above with regard to patentable independent claim 1, from which claim 10 depends. Thus, Applicants respectfully submit that claim 10 is patentable at least because it depends from patentable independent claim 1.

Withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 1, 3-12, and 14-16 is respectfully requested.

*Finality of the Office Action*

Applicants respectfully traverse the finality of the present Office Action as this action should not have been made final as Applicants' last response only amended claim 1. The amendment to claim 1 was made to incorporate language from previously pending claim 2, to further limit claim 1 in view of a 35 U.S.C. § 101 "carrier wave" rejection, and to reword a single element in a manner that did not affect the scope of the claim.

On page 13 the Office Action asserts that "Applicants' amendments necessitate new ground(s) of rejection presented in this Office Action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a)." This portion of the MPEP provides in part:

Under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims, nor based on information submitted in an information disclosure statement filed during the period set forth in **37 CFR 1.97(c)** with the fee set forth in **37 CFR 1.17(p)**.

A second or any subsequent action on the merits in any application or patent involved in reexamination proceedings should not be made final if it includes a rejection, on prior art not of record, of any claim amended to include limitations which should reasonably have been expected to be claimed.

Applicants respectfully submit the amendments to claim 1 should have been previously searched because the amendments did not modify the scope of the claim.

Thus, Applicants respectfully request withdrawal of the finality of the present rejection.

*Finality of the Rejections*

In the event that the present claims are not found to be allowable and the finality of the rejection is not withdrawn, Applicants respectfully request entry of the amendment to claim 1 for purposes of appeal. Applicants are entitled to entry of this amendment as it provides for incorporation of a previously pending dependent claim into the independent claim. This amendment is also made in response to a claim objection.

Applicants further request entry of the amendments to the drawings and the specification for purposes of appeal. These amendments were made in response to objections in the Office Action and to conform to amended claim 20.

**CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' representative at (408) 278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 10/06/2008

By \_\_\_\_\_

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 6 day of October, 2008.

Dawn R. Shaw

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